

1 UNITED STATES OF AMERICA,

Plaintiff,

2 v.

3 JOSE MURO,

4 Defendant.

Case No.: 2:16-CR-315- KJD-VCF

FINDINGS OF FACT AND  
CONCLUSIONS OF LAW

(Eighth Request)

5  
6 FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court  
7 finds:

1. That defense counsel was recently appointed to the case on October 27, 2023.
2. That counsel for Mr. Muro needs additional time prepare for the preliminary hearing.
3. That Defendant is incarcerated and has no objection to the continuance.
4. That Counsel for the Government has no objection to the continuance.
5. Denial for this request for continuance would deny the parties herein time and the  
11 opportunity within which to effectively and thoroughly research and prepare for the hearing  
12 in this case, taking into account the exercise of due diligence.
6. Additionally, denial of this request for continuance would result in a miscarriage of justice.
7. For all the above-stated reasons, the ends of justice would best be served by a continuance of  
14 the revocation date.
8. This is the eighth stipulation to continue filed herein.

**CONCLUSIONS OF LAW**

Denial of this request would deny the parties herein the opportunity to effectively and thoroughly prepare for the revocation hearing.

Additionally, denial of this request for continuance could result in a miscarriage of justice.

**ORDER**

**IT IS ORDERED** that the preliminary hearing currently scheduled for November 21, 2023 at the hour of 4:00 PM, be vacated and continued to the 13th day of December, 2023, at the hour of 10:00 a.m. in Courtroom 3B.

DATED this 13th of November, 2023.

  
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U.S. MAGISTRATE JUDGE